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February 9, 2004

Debra G. Ehlert, Chief
Brownfields & Site Assessment Unit
United States Environmental Protection Agency
Region 8
999 18th Street, Suite 300
Denver, Colorado 80202-2466

e-mail ehlert.debra@epa.gov

Re: Rico, Colorado

Dear Debra:

Please refer to my earlier correspondence. Since then, I have participated in a number of stakeholder meetings with reference to lead contaminated soils in Rico, Colorado. The parties have been working diligently to put together a voluntary clean up plan. It goes without saying that the efforts of the stakeholders have been severely handicapped, if not derailed, by your agency's repeated refusal to provide a copy of the sampling map.

Given the comments of Max Dodson at the meeting in Rico, we had assumed that the EPA would assist the Town and those involved in putting together cleanup plans on the lead contamination. According to the Rico Town staff and others, the production of this critical map by your agency has been promised over and over again. The longer it takes the EPA to produce a document generated almost five (5) months ago, the more your agency's conduct appears to be contrary to Mr. Dodson's public comments and in the utmost bad faith. How can you realistically expect stakeholders to put together an immediate clean up plan without the benefit of the October sampling map showing the location of the residential properties tested in Rico, Colorado.

We have been extremely patient in this matter to date. Please let me know if and when the receipt of the sampling map can be expected. It cannot take months to advise the property owners as to the test results. Your agency obtained individual property owner permission in two (2) days. What could possibly justify such a continued delay at this critical stage? If your agency wants to preclude a voluntary cleanup, just say so.

Very truly yours,

LAW OFFICE OF RAMON M. ESCURE, P.C.

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